

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: BPS DIRECT, LLC, AND  
CABELA'S, LLC, WIRETAPPING

: MDL 3074  
:  
:  
: E.D.Pa. ACTION NOS.:  
: 23-md-3074  
: 22-cv-4709  
: 23-cv-2282  
: 23-cv-2287  
: 23-cv-2293  
: 23-cv-2294  
: 23-cv-2295  
: 23-cv-2306  
: 23-cv-2338  
: 23-cv-4008

**ORDER**

AND NOW, this 27<sup>th</sup> day of November 2023, upon further study of Defendants' Motions to dismiss (ECF No. 54-1, ECF Nos. 38-39 in *Irvin v. Cabela's LLC, et al* (No. 23-4008)), Plaintiffs' Oppositions (ECF No. 56, ECF No. 47 in *Irvin*), and Defendants' Replies (ECF No. 57, ECF No. 52 in *Irvin*), mindful of counsel's obligations under our October 23, 2023 Order (ECF No. 67), and finding good cause under Federal Rule of Civil Procedure 1, it is ORDERED we amend our October 23, 2023 Order (ECF No. 67) only to grant leave for Plaintiffs' counsel to file a Notice, on or before **December 15, 2023**, identifying the confirmed date, time, and place (including virtual testimony if possible) for the identified depositions of the Plaintiffs and those persons presently identified as witnesses affiliated with the Defendants subject to later amendments for good cause.



KEARNEY, J.